



EDWARD A. FRIEDMAN  
efriedman@fklaw.com  
212.833.1102

September 3, 2019

**BY HAND & ECF**

Hon. Loretta A. Preska  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Courtroom 12A  
New York, New York 10007-1312

Re: *Aurelius Capital Master, Ltd. v. The Republic of Argentina*,  
No. 19 Civ. 351 (LAP) (S.D.N.Y.)

Dear Judge Preska:

We represent plaintiff Aurelius Capital Master, Ltd. (“Aurelius”). We write to request that the Court set a date for a Rule 16 scheduling conference, possibly combined with oral argument (which both sides have requested) on the pending motion to dismiss, at Your Honor’s earliest convenience. Fed. R. Civ. P. 16(b)(2) provides for a Rule 16 scheduling order “as soon as practicable,” but, absent good cause, within “90 days after any defendant has been served with the complaint.” Aurelius served the Republic with the complaint on January 14, 2019, and 90 days thereafter is April 15.

Whatever good cause there may have been previously, we respectfully submit there is presently no good cause to delay scheduling the conference. We believe it would be in the interests of both parties for the action to move toward final judgment sooner rather than later. Indeed, if Argentina owes a payment on the GDP Warrants, the longer the time period before judgment, the more costly it would be for Argentina in light of recent declines in the value of the peso relative to the U.S. dollar and the accumulation of 9% pre-judgment interest. We have asked the Republic to join in this request, and it has declined. The view expressed to us is that it would be better to wait for the Court’s decision on the motion to dismiss before scheduling the Rule 16 conference. In light of Argentina’s position, if the Court is not inclined to schedule a Rule 16 conference, we would ask that the Court schedule oral argument at its earliest convenience.

Hon. Loretta A. Preska

- 2 -

September 3, 2019

We appreciate Your Honor's consideration of our request.

Respectfully submitted,

A handwritten signature in blue ink that reads "Ed A. Friedman". The signature is written in a cursive, flowing style.

Edward A. Friedman

cc: All counsel (by ECF only)